

REMARKS

In response to an Official Action dated March 23, 2007, Applicants respectfully submit the following remarks. This application contains claims 1, 4-16, 26, 29-41, 56 and 59-71, all of which were rejected in the present Official Action. Reconsideration is respectfully requested in view of the remarks that follow.

Applicant thanks Examiners Ailes and Caldwell for the courtesy of a personal interview with Applicant's representative, Sanford T. Colb (Reg. No. 26,856), held in the USPTO on June 5, 2007. At the interview, Mr. Colb argued that the Declaration and supporting evidence that were submitted in response to the previous Official Action in this case should have been sufficient to swear behind Klein (U.S. Patent 6,999,448), and therefore to overcome the rejection of the claims under 35 U.S.C. 103(a). The Examiner stated, however, that a new declaration would be required, showing the basis for conception of the dependent claims, and not only of the independent claims. In addition, the Examiner indicated that the new declaration must refer to specific pages, sections and dates in the version control listing that was submitted as Exhibit B to the previous declaration, in order to establish diligence in reduction of the invention to practice.

Claims 1, 4-13, 15, 16, 26, 29-38, 40, 41, 56, 59-68, 70 and 71 were rejected under 35 U.S.C. 103(a) over Smyk et al. (U.S. Patent 6,597,686) in view of Gaus (U.S. Patent 6,778,652), and further in view of Klein (U.S. Patent 6,999,448), while claims 14, 39 and 69 were rejected over these three references and further in view of Hetz (U.S. Patent 6,185,289). Applicants respectfully traverse these rejections.

Applicants submit herewith a new Declaration under 37 C.F.R. 1.131, accompanied by Exhibits A and B, in compliance with all of the requirements that the Examiner set forth in the interview. The Declaration and exhibits prove that Applicants conceived the invention recited in all of the claims of the present patent application prior to March 14, 2000, and worked diligently to reduce the invention to practice from a date prior to March 14, 2000, until the invention was actually reduced to practice and tested successfully on or about June 21, 2000. Klein was filed March 14, 2000, after the effective date of the present invention.

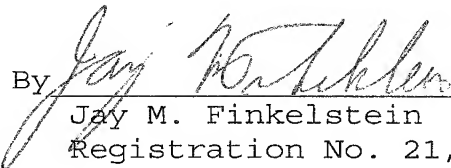
Thus, on the basis of Applicants' new Declaration and supporting evidence, Klein is not applicable as prior art against the present patent application, and the rejections under 35 U.S.C. 103(a) should be withdrawn.

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Amdt. dated August 23, 2007
Reply to Final Office Action of March 23, 2007

Applicants believe the remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these remarks, Applicants respectfully submit that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

Respectfully submitted,

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